

PATENT

Attorney Docket No. A-68945/RBC/VEJ/JOG
Application No. 09/813,765**REMARKS**

Applicant respectfully requests reconsideration of this Application. Presently, there are no amendments. The originally filed claims are pending. Claims 1, 28 and 40 are independent claims. All other claims are dependent claims.

Based on the following Remarks, Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

In the Office Action mailed September 15, 2004, the Examiner rejected claims 1-40 under 35 U.S.C. § 103 as being unpatentable over a patent issued to Weiss, U.S. Patent No. 5,657,388, and a product datasheet of SecurID authentication tokens. See page 2 of the Office Action.

Applicant requests that the Examiner reconsider and withdraw all of the claim rejections under 35 U.S.C. § 103 because the references cited do not teach or suggest all of the claim limitations; either alone or in combination. Moreover, there is no motivation expressed by the art to alter or combine the cited references to arrive at the invention as claimed with a reasonable expectation of success.

Claim 1

Independent claim 1 is listed on page 2 of this paper in full. The Examiner asserts that Weiss teaches various method steps of claim 1 including: (c) inputting and (d) decrypting a cryptogram; (e) comparing a decrypted time representation with another; and (f) unlocking the lock. The Examiner points to Weiss "column 2, lines 4-44, especially the discussion of the verification unit which shows how the seed numbers are updated and compared." See page 3, second full paragraph of the Office Action.

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Column 2, lines 3-47 of U.S. Patent No. 5,657,388 to Weiss read (beginning in a "BACKGROUND OF THE INVENTION" section):

This problem is being exacerbated by the more extensive use of local and wide area networks and by the use of radiowaves to transmit data. It is also possible that the token could be "borrowed", read by a suitable device to obtain the secret user code and then returned before the owner realizes it is missing. In either event, the token containing the code could be recreated and used for some period of time to gain access to sensitive information within a database or to other information resources without detection. Therefore, improved "smart" tokens, such as those disclosed in U.S. Pat. Nos. 4,720,860 and 5,023,908 and various related patents have varied the values stored in the token, or at least the value outputted from the token, in accordance with some algorithm which causes the values to vary in a nonpredictable way with time so as to provide unique one-time codes.

However, while such devices have provided significantly enhanced security for secret access codes, and therefore significantly enhanced security for the data processing system, database or other information resource with which such devices are being utilized, a "smart" card (which for purposes of this application as defined as a card having data processing capability) has been required to use such systems. Smart cards are usually somewhat larger and heavier than a standard credit card and are significantly more expensive. Since these devices are typically battery-operated, they also have a finite life, typically about three years, and need to be replaced at the end of such time, further increasing the cost of their use. For systems having large numbers of authorized users, this expense can become substantial and, in conjunction with some resistance to the bulk of such cards, has limited the applications of such systems.

A need therefore exists for an improved secure access technique which provides the advantages of one-time code and the possibility of two factor security while permitting the use of inexpensive and relatively small tokens, which tokens may have a theoretically unlimited life.

SUMMARY OF THE INVENTION

In accordance with the teachings of this invention, a "dumb token" is utilized which preferably only stores selected information which may be utilized to identify or verify the identity of a user, and/or provide data for an encryption key and/or for file compression, such information being stored in machine readable form.

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Applicant cannot reasonably discern how the passage above, which the Examiner specifically cited, relates to claim 1. Moreover, Applicant cannot reasonably discern how the passage above even relates to the Examiner's characterization of it as discussing a verification unit. In fact, the word "verification" appears only once in the Weiss patent and not alongside the word "unit." See column 6, line 16.

The SecurID product sheet does not make up the above deficiency, nor does the Examiner assert that it does.

Thus, Applicant cordially requests that the Examiner withdraw the rejection because the cited references do not teach or suggest all the claim limitations of claim 1. In particular, Weiss does not teach or suggest steps (c)-(f). Also, Weiss does not teach or suggest a "verification unit."

The Examiner goes on to assert that "it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine the teachings of SecurID and Weiss for the motivation noted in the previous paragraph so as to teach the claimed invention." See page 3, third full paragraph of the Office Action. In the previous paragraph, the Examiner states "thus, such decryption, etc of the claim are shown)" for the motivation of "permitting access (column 1, lines 5-11)." Column 1, lines 5-11 of Weiss read:

RELATED INVENTIONS

This application is a continuation-in-part of application Ser. No. 08/067,517, filed May 25, 1993, entitled ENHANCED SECURITY FOR A SECURE TOKEN CODE, now U.S. Pat. No. 5,485,519.

FIELD OF THE INVENTION

Again, Applicant cannot reasonably discern how the passage above, which the Examiner specifically cited, relates to claim 1, or even to the Examiner's characterization of the passage as providing a "motivation of permitting access."

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Thus, Applicant cordially requests that the Examiner withdraw the rejection because the art does not evidence a motivation to alter or combine the cited references. Here, the Weiss '388 patent fails to disclose the motivation of "permitting access" relied upon by the Examiner and thus fails to provide a motivation to combine the teachings of the Weiss '388 patent and the SecurID data sheet.

Claim 28

Independent claim 28 is listed on page 6 of this paper in full. The Examiner asserts that Weiss teaches the last element of claim 28, which reads:

"a decryption device located at said structure and having an unlocking assembly coupled to said lock mechanism, said decryption device being responsive to input of said cryptogram to unlock said lock mechanism if a decrypted time representation produced by decrypting said cryptogram meets a time-based criteria in said decryption device."

The Examiner points to Weiss "column 2, lines 4-44, especially the discussion of the verification unit which shows how the seed numbers are updated and compared." See page 4, third full paragraph of the Office Action.

As noted previously, column 2, lines 3-47 of Weiss read as shown above. As in the instance of claim 1, Applicant cannot reasonably discern how the passage above, which the Examiner specifically cited, relates to claim 28. Moreover, Applicant cannot reasonably discern how the passage above even relates to the Examiner's characterization of it as discussing a verification unit. In fact, the word "verification" appears only once in the Weiss patent and not alongside the word "unit." See column 6, line 16.

The SecurID product sheet does not make up the deficiency, above, nor does the Examiner assert that it does.

Thus, Applicant cordially requests that the Examiner withdraw the rejection because the cited references do not teach or suggest the claim limitations of claim 28. In particular, Weiss

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does not teach or suggest a verification unit as relied upon by the Examiner, and thus fails to teach or suggest the claimed system of claim 28.

The Examiner goes on to assert that "it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine the teachings of SecurID and Weiss for the motivation noted in the previous paragraph so as to teach the claimed invention." See page 5, first full paragraph of the Office Action. The previous paragraphs point to the motivation asserted with respect to claim 1, purportedly "permitting access (column 1, lines 5-11)." Column 1, lines 5-11 of U.S. Patent No. 5,657,388 to Weiss are quoted above.

As with claim 1, Applicant cannot reasonably discern how column 1, lines 5-11 of U.S. Patent No. 5,657,388 to Weiss, which the Examiner specifically cited, relates to claim 28, or even to the Examiner's characterization of the passage as providing a "motivation of permitting access." As noted above, the Weiss patent fails to teach or suggest the "permitting access" feature relied upon by the Examiner and thus fails to provide a motivation to combine the teachings of Weiss and SecurID.

Thus, Applicant cordially requests that the Examiner withdraw the rejection because the art does not evidence a motivation to alter or combine the cited references to arrive at the invention as claimed.

Claim 40

Independent claim 40 is listed on page 8 of this paper in full. The Examiner asserts that Weiss teaches:

said decryption device at each of said plurality of lock boxes having a different decrypting cryptographic key;

said encryption device being formed to encrypt a time representation based upon a clock time of the encryption clock with an encrypting cryptographic key selected by input to said encryption device of a selected lock box identifier to produce a cryptogram; and

said decryption device being formed to decrypt said cryptogram using said decryption algorithm and a decrypting cryptographic key for the lock box into which said cryptogram is input to produce a decrypted time representation;

said decryption device further being formed to compare said decrypted time representation with a time representation based upon the clock time from

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the clock in said decryption device at the time of input of said cryptogram to said decryption device and to actuate said unlocking mechanism if said decrypted time representation and said time representation have upon the decryption clock meet a required criteria.

The Examiner points to Weiss "column 2, lines 4-44, especially the discussion of the verification unit which shows how the seed numbers are updated and compared." See page 6, first full paragraph of the Office Action. Column 2, lines 3-47 of U.S. Patent No. 5,657,388 to Weiss reads as shown above.

As in the instances of claim 1 and claim 28, Applicant cannot reasonably discern how the passage above, which the Examiner specifically cited, relates to claim 40. Moreover, Applicant cannot reasonably discern how the passage above even relates to the Examiner's characterization of it as discussing a verification unit. In fact, the word "verification" appears only once in U.S. Patent No. 5,657,388 and not alongside the word "unit." See column 6, line 16.

The SecurID product sheet does not make up the deficiency, above, nor does the Examiner assert that it does.

Thus, Applicant cordially requests that the Examiner withdraw the rejection because the cited references do not teach or suggest the claim limitations of claim 40. In particular, Weiss does not teach or suggest a verification unit as relied upon by the Examiner and thus fails to teach or suggest the control system of claim 40.

The Examiner goes on to assert that "it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to combine the teachings of SecurID and Weiss for the motivation noted in the previous paragraphs so as to teach the claimed invention." See page 6, second full paragraph of the Office Action. The previous paragraphs point to the motivation asserted with respect to claim 1 and claim 28, purportedly "permitting access (column 1, lines 5-11)." Column 1, lines 5-11 of U.S. Patent No. 5,657,388 to Weiss are quoted above.

As with claims 1 and 28, Applicant cannot reasonably discern how column 1, lines 5-11 of U.S. Patent No. 5,657,388 to Weiss, which the Examiner specifically cited, relates to claim

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40, or even to the Examiner's characterization of the passage as providing a "motivation of permitting access."

Thus, Applicant cordially requests that the Examiner withdraw the rejection because the art does not evidence a motivation to alter or combine the cited references to arrive at the invention as claimed with a reasonable expectation of success.

Claims 2, 3, 4-27, 29-39

Claims 2, 3, 4-27, and 29-39 depend directly or indirectly from claims 1, 28, or 40, and are listed in full above. Applicant submits that each of these claims depends directly or indirectly from claims 1, 28, or 40, and is allowable for at least the reasons noted above.

The Examiner rejected each and every one of these claims with the statement "such features are well known in the art for the motivation of security." In regard to claim 2, claim 3, and claims 4-27, see the Office Action, paragraph bridging page 3 and page 4. In regard to claims 29-39, see the Office Action, page 5, first paragraph. Applicant toils in this field of art and does not agree. Further, should the Examiner maintain the rejections, Applicant respectfully requests that the Examiner produce objective evidence that all of the limitations of claim 2, claim 3, claims 4-27, and claims 29-39 are well known in the art.

CONCLUSION

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Applicant invites the Examiner to telephone the undersigned at the number below.

The Director is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extension of time or additional claims, and/or credit any overpayment to Deposit Account No. 50-2319 (Order No. 467596-00010; Docket No. A-68945/RBC/VEJ/JOG).

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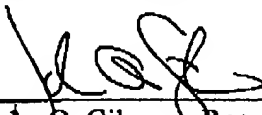
Applicant respectfully requests prompt and favorable consideration of this Response.

Respectfully submitted,

DORSEY & WHITNEY LLP

Date: 15 March, 2005

By:


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